

### **REMARKS**

Claims 51-62 and 92-100 are currently pending.

#### **Rejections under 35 U.S.C. §103(a)**

Claims 51-62 and 92-100 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Hunter, U.S. Patent No. 6,743,633 ("Hunter") in view of Harrison, *et al.*, U.S. Patent No. 5,948,470 ("Harrison").

With respect to Hunter, Applicants do not see where Hunter discloses or suggests a conformal mask, and the Patent Office apparently agrees with this assessment, as the Office Action states that in Hunter, "A conformal mask and substrate are not cited." However, it is not seen how Harrison is used to modify Hunter in order to reach the claimed invention, nor is it seen why one of ordinary skill in the art would be motivated to combine Harrison and Hunter. Harrison is generally directed to block co-polymers that are used for microelectronic systems (see, e.g., the background of the invention). Hunter, in contrast, is generally directed to systems and methods for analyzing liquid samples (see, e.g., the Abstract). It is not clear why one of ordinary skill in the art would be motivated to combine these references, which appear to be from quite different fields of art, and the Patent Office has not pointed to a teaching, suggestion, or motivation to combine Hunter and Harrison. To the contrary, the Patent Office only states that "it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of Hunter by using the mask in receiving substrate surface of Harrison to provide a simpler, more reliable surface on which to perform biochemical assays." However, such a statement does not point to an objective teaching in Hunter, or in any other prior art reference of record, that would lead to the combination of Hunter and Harrison, as is required to form a *prima facie* case of obviousness under 35 U.S.C. §103(a).

Moreover, to the extent that these references could be combined (which Applicants do not concede) it is not seen how Harrison could be used to correct the deficiencies of Hunter in order to reach the invention as claimed. With respect to independent claim 51, it is not seen where Harrison discloses or suggests positioning a mask in conformal contact with a surface without degrading a portion of the mask proximate the second portion of the surface. To the contrary, Harrison teaches

that portions of his mask are chemically altered or modified and/or physically removed. See, e.g., Col., lines 61-67. Regarding independent claim 52, it is not seen where Harrison discloses or suggests a curved surface, and the Patent Office has not pointed to such a teaching or suggestion in Harrison of a curved surface. With respect to independent claims 53 and 92, it is not seen where Harrison discloses or suggests re-placing a masking system. As discussed above, Harrison discloses that the mask, after being placed on the surface, is damaged in that portions of his mask are chemically altered or modified and/or physically removed. Thus, the mask in Harrison could not be re-placed or otherwise re-used. Accordingly, in summary, it is not seen how the combination of Hunter and Harrison could be used to reach any of the independent claims. In addition, claims dependent from these claims are believed to be allowable for at least the above-mentioned reasons.

Accordingly, it is believed that the Patent Office has not provided a *prima facie* case of obviousness under 35 U.S.C. §103(a) in view of Hunter and Harrison. It is thus believed that claims 51-62 and 92-100 are patentable over the combination of Hunter and Harrison, and it is therefore respectfully requested that the rejection of these claims be withdrawn.

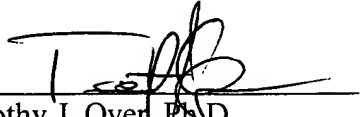
### **CONCLUSION**

In view of the foregoing remarks, this application should now be in condition for allowance. A notice to this effect is respectfully requested. If the Examiner believes, after the foregoing remarks, that the application is not in condition for allowance, the Examiner is requested to call the undersigned at the telephone number listed below.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicants hereby request any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 23/2825.

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Respectfully submitted,

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